

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
- v. -	:	CONSENT PRELIMINARY
	:	ORDER OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
HECTOR VALDEZ TURBI,	:	
a/k/a "Primo,"	:	19 Cr. 403 (WHP)
	:	
Defendant.	:	
	:	
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WHEREAS, on or about June 3, 2019, HECTOR VALDEZ TURBI, (the "Defendant") was charged in a one-count Indictment, 19 Cr. 403 (WHP) (the "Indictment") with conspiracy to distribute and possess with intent to distribute a kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 846 (Count One);

WHEREAS, the Indictment included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense charged in Count One of the Indictment and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense charged in Count One of the Indictment;

WHEREAS, on or about December 13, 2019, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States pursuant to Title 21, United States Code, Section 853, a sum of money equal to \$3,700.00 in United States currency, representing any and all property constituting or derived

from any proceeds the defendant obtained directly or indirectly, and any and all property used or intended to be used to commit and to facilitate the commission of the offense charged in Count One of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$3,700 in United States currency, representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained; and

WHEREAS, as a result of the acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney AUDREY STRAUSS, Acting United States Attorney, Assistant United States Attorney Michael Longyear of counsel, and the Defendant, and his counsel, Sanford N. Talkin, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$3,700.00 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, HECTOR VALDEZ TURBI and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the “United States Marshals Service” and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew’s Plaza, New York, New York 10007 and shall indicate the Defendant’s name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the United States Attorney’s Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


7. This Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief, Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney’s Office, One St. Andrew’s Plaza, New York, New York 10007.


9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

AUDREY STRAUSS  
Acting United States Attorney for the  
Southern District of New York

By:  07/30/2020  
Michael D. Longyear  
Assistant United States Attorney  
One Saint Andrew's Plaza  
New York, NY 10007  
212-637-2223  
DATE

HECTOR VALDEZ TURBI

By:  7/30/20  
HECTOR VALDEZ TURBI  
DATE

By:  7/30/20  
Sanford L. Talkin, Esq.  
40 Exchange Place  
New York, NY 10005  
212-482-0007  
DATE

SO ORDERED:

 July 30, 2020  
WILLIAM H. PAULEY III  
U.S.D.J.  
DATE